

JPMc

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ismael Antonia ZAMBRANO-Reyes,

Defendant

Magistrate Docket No.

FILED
07 NOV 21 AM 10:27 21

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326

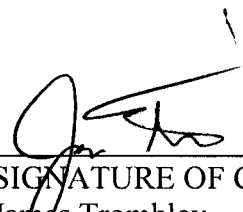
DEPUTY

Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **November 20, 2007** within the Southern District of California, defendant, **Ismael Antonia ZAMBRANO-Reyes**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 James Trombley
 Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21st DAY OF NOVEMBER, 2007


 Jan M. Adler
 UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Ismael Antonia ZAMBRANO-Reyes

PROBABLE CAUSE STATEMENT

On November 20, 2007, Border Patrol Agent A. Rodriguez responded to a call from the Remote Video Surveillance System Operator, in regards to two individuals heading north from the area of "Echo One". This area is located one mile east of the San Ysidro, California Port of Entry. Agent Rodriguez observed two individuals running north approximately 200 yards of the United States/Mexico International Boundary. Agent Rodriguez approached the two individuals and identified himself as a Border Patrol Agent and conducted an immigration inspection. Each of the subjects including one later identified as the defendant **Ismael Antonia ZAMBRANO-Reyes** admitted to being citizens and nationals of Mexico without having any immigration documents allowing them to be or remain in the United States legally. At approximately 2:00 A.M. the defendant and the other subject were arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on July 20, 2006 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights, which he stated he understood and was willing to answer questions without having an attorney present. The defendant admitted to being a citizen and national of Mexico and was in the United States illegally and not in possession of any immigration documents allowing him to enter or remain in the United States legally. The defendant stated that he was traveling to San Fernando, California.